

Appendix O

Glossary

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Accessory Structure - means a small detached structure that is incidental and subordinate to the principal structure.

Adjacent Grade - means the natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

Anchoring - Special connections made to ensure that a building will not float off or be pushed off its foundation during a flood. Anchoring requirements for a building are discussed on page 5-5, and for a mobile home are found on page 5-6.

Appeal - A request to the Board of Appeals to overrule a permit denial because the applicant claims that the ordinance has been incorrectly interpreted.

Area of a Shallow Flooding - means a designated AO zone on a community's Flood Insurance Rate Map (FIRM) with a one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Area of Special Flood Hazard - see **Special Flood Hazard Area (SFHA)**.

A Zone - See **Zone A**.

Base Flood - means the flood having a one percent chance of being equaled or exceeded in any given year, commonly called the 100-year flood. See discussion on page 2-5.

Base Flood Elevation (BFE) - The elevation of the crest of the base flood or 100-year flood. See discussion on page 2-5.

Basement - means any area of the building having its floor subgrade (below ground level) on all sides.

Best Available Data - Refers to the best hydraulic and hydrologic data available to show what the 100 year flood elevations and floodplain boundaries are for a particular area. See discussion on page 2-6.

Biennial Report - A report, formerly an annual report, submitted to FEMA. It includes questions on the number of permits and variances issued, changes in the community's flood characteristics, changes in the community's corporate limits, etc. See discussion on page 6-4.

Breakaway Wall - means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.

Building - see **Structure**.

Certificate of Compliance - A document signed by the Code Enforcement Officer stating that a structure is in compliance with all of the provisions of this Ordinance.

Coastal Barrier Area - A naturally occurring island, sandbar, or other strip of land, including coastal mainland, that protects the coast from severe wave wash that has been identified by the Department of the Interior (DOI).

Code Enforcement Officer (CEO) - A person certified under Title 30-A MRSA, Section 4451 (including exceptions in subsection 4451, paragraph 1) and employed by a municipality to enforce all applicable comprehensive planning and land use laws and ordinances. See discussion on page 6-1.

Code of Federal Regulations (CFR) - A master coding system to identify the federal agency regulations that have been published in the Federal Register. 44 CFR includes all the regulations published by the Federal Emergency Management Agency.

Conditional Use - means a use that because of its potential impact on surrounding areas and structures, is permitted only upon review and approval by the Planning Board pursuant to Article VII of the Model Floodplain Management Ordinance.

Critical Facilities - Facilities for which even a slight chance of flooding is too great. They include facilities that involve storage of highly volatile, flammable, explosive, toxic or water reactive materials, hospitals, nursing homes and housing for the elderly, emergency operation centers or data storage centers, generating plants and substations.

Cross Section - Survey information that records the dimensions of a valley at right angles to the flow of a flood. A cross section is used to calculate how much room is available to carry the flood discharge.

Datum - A point of reference used to insure that all elevation records are properly related. For floodplain management purposes, all datum is referenced to the National Geodetic Vertical Datum (NGVD) of 1929.

Development - means any man made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation, drilling operations or storage of equipment or materials.

Discharge - The amount of water that passes a point. Discharge is usually measured in cubic feet per second. For flood studies the peak flood discharge is the greatest amount of water that will pass a point at the crest of the flood.

Elevated Building - means a non-basement building

- a. built, in the case of a building in Zones A1-30, AE, A, AO, or AH, to have the top of the elevated floor, or in the case of a building in Zones V1-30 or VE, to have the bottom of the lowest horizontal structural member of the elevated floor, elevated above the ground level by means of pilings, columns, post, piers, or "stilts;" and,
- b. adequately anchored so as not to impair the structural integrity of the building during a flood of up to one foot above the magnitude of the base flood.

In the case of Zones A1-30, AE, A, or AO, **Elevated Building** also includes a building elevated by means of fill or solid foundation perimeter walls with hydraulic openings sufficient to facilitate the unimpeded movement of flood waters, as required in Article VI.L. In the case of Zones V1-30 or VE, **Elevated Building** also includes a building otherwise meeting the definition of elevated building, even though the lower area is enclosed by means of breakaway walls, if the breakaway walls meet the standards of Article VI.P.2.b.(3) of the Model Floodplain Management Ordinance.

Elevation Certificate - An official form (FEMA Form 81-31, 01/03, as amended) that:

- a. is used to verify compliance with the floodplain management regulations of the National Flood Insurance Program; and,
- b. is required for purchasing flood insurance.

See discussion on page 6-4 and a sample in Appendix D.

Equal Degree of Encroachment Rule - A legal rule used in floodway studies. By following this rule property owners on both sides of a stream are treated the same.

Federal Emergency Management Agency (FEMA) - FEMA is the federal agency which administers the National Flood Insurance Program (NFIP).

Federal Insurance Administration (FIA) - The FIA is the part of FEMA which is responsible for the National Flood Insurance Program (NFIP).

Federal Register - A daily publication of the federal government used to publicize federal agencies' rules.

Flood or **Flooding** - means:

- a. A general and temporary condition of partial or complete inundation of normally dry land areas from:
 1. The overflow of inland or tidal waters.
 2. The unusual and rapid accumulation or runoff of surface waters from any source.
- b. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph (a)(1) of this definition.

Flood Elevation Study - see **Flood Insurance Study**.

Flood Hazard Boundary Map (FHBM) - The National Flood Insurance Program (NFIP) map produced for communities that are not in the Regular Phase of the NFIP. This is the first floodplain map a community receives from the NFIP. It is similar to an approximate Flood Insurance Rate Map (FIRM). Eventually all FHBMs will be replaced by FIRMs.

Flood Insurance Rate Map (FIRM) - means an official map of a community, on which the Federal Insurance Administrator has delineated both the special hazard areas and the risk premium zones applicable to the community. It is the map provided to communities in the Regular Phase of the National Flood Insurance Program (NFIP).

Flood Insurance Study - means an examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations.

Floodplain or Flood-prone Area - means any land area susceptible to being inundated by water from any source (see **Flood or Flooding**).

Floodplain Management - means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works, and floodplain management regulations.

Floodplain Management Regulations - means zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain Ordinance, grading ordinance, and erosion control ordinance) and other applications of police power. The term describes such state or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

Floodproofing - means any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and contents. Dry floodproofing consists of ensuring that the walls and floor are watertight and capable of withstanding hydrostatic pressures and hydrodynamic forces. Wet floodproofing permits water to enter the building and seek its own level to alleviate hydrostatic pressure.

Flood Protection Elevation (FPE) - The elevation to which a structure must be protected from flood damage through elevation or floodproofing. The FPE is usually the 100 year flood elevation plus a certain number of feet, known as freeboard.

Flood Fringe - The part of the floodplain outside the floodway.

Floodway - see **Regulatory Floodway**.

Floodway Data Table - The table provided in the Flood Insurance Study (FIS) which provides detailed information for each cross section on streams studied in detail.

Floodway Encroachment Lines - mean the lines marking the limits of floodways on federal, state, and local floodplain maps.

404 Permit - A permit required by Section 404 of the Clean Water Act to protect rivers and adjacent wetlands from being filled. This permit program is administered by the U.S. Army Corps of Engineers.

Freeboard - means a factor of safety usually expressed in feet above a flood level for purposes of floodplain management. Freeboard tends to compensate for the many unknown factors, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed, that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions. The base flood elevation plus the freeboard equals the Flood Protection Elevation (FPE).

Functionally Dependent Use - means a use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

Hardship - Impositions upon a property from an ordinance which:

- a. result in no economic use of the property;
- b. are unique to that property and not common to the neighborhood; and
- c. are not the result of actions of the owner or previous owner.

Historic Structure - means any structure that is:

- a. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- b. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary of the Interior to qualify as a registered historic district;
- c. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
- d. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 1. By an approved state program as determined by the Secretary of the Interior, or
 2. Directly by the Secretary of the Interior in states without approved programs.

Hydraulics - The study of moving water. The hydraulic analysis in a Flood Insurance Study (FIS) calculates how high and how fast a flood discharge flows.

Hydrodynamic Forces - The forces on a building of moving water from current, waves, flooding debris, ice etc.

Hydrology - The science dealing with the water of the earth. A hydrologic study produces an estimate of the flood discharge.

Hydrostatic Pressure - The pressure standing water places on the walls and floor of a building. Hydrostatic pressure of 3 to 4 feet of standing water can collapse walls or buckle basement floors.

Letter of Map Amendment (LOMA) - A correction to data existing on a current Flood Insurance Rate Map (FIRM). FEMA will issue a LOMA for a building that has been constructed with its lowest adjacent grade at or above the 100 year flood elevation, thereby waiving the mandatory flood insurance purchase requirements of most lending institutions.

Locally Established Datum - means, for purposes of this ordinance, an elevation established for a specific site to which all other elevations at the site are referenced. This elevation is generally not referenced to the National

Geodetic Vertical Datum (NGVD) or any other established datum and is used in areas where Mean Sea Level data is too far from a specific site to be practically used.

Lowest Floor - means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor, provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements described in Article VI of the Model Floodplain Management Ordinance.

Maine Revised Statutes Annotated (MRSA) - The statutes which provide a legal framework for floodplain regulations in Maine.

Manufactured Home - means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes the term manufactured home also includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than 180 consecutive days.

Manufactured Home Park or Subdivision - means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

Mean Sea Level - means, for purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929, or other datum, to which base flood elevations shown on a community's Flood Insurance Rate map are referenced.

Minor Development - means all development that is not new construction or a substantial improvement, such as repairs, maintenance, or renovations, or additions, whose value is less than 50% of the market value of the structure. It also includes, but is not limited to: accessory structures as provided for in Article VI.J. (of the Model Floodplain Management Ordinance), mining, dredging, filling, grading, paving, excavation, drilling operations, storage of equipment or materials, deposition or extraction of materials, public or private sewage disposal systems or water supply facilities that do not involve structures; and non-structural projects such as bridges, dams, towers, fencing, pipelines, wharves, and piers.

National Flood Insurance Program (NFIP) - the federal program which makes federally subsidized flood insurance available to property owners in communities which agree to adopt an ordinance regulating new development in floodprone areas.

National Geodetic Vertical Datum (NGVD) - the national datum, whose standard was established in 1929, which is used by the National Flood Insurance Program (NFIP). NGVD is based upon mean sea level and also has been called "1929 Mean Sea Level (MSL)".

New Construction - means structures for which the "start of construction" commenced on or after the effective date of the initial floodplain management regulations adopted by a community and includes any subsequent improvements to such structures.

One Hundred Year Flood - see **Base Flood**.

Ponding - A flooding condition caused when rain runoff drains to a location that has no ready outlet. Ponding water usually stands until it is able to seep into the ground. Ponding is a common problem in leveed areas, flat areas, and in communities where construction of streets and other development has blocked the natural outlets.

Post-FIRM Construction - construction or substantial improvement that started on or after the effective date of the initial Flood Insurance Rate Map (FIRM) of the community **or** after December 31, 1974, whichever is later.

Pre-FIRM - construction or substantial improvement that started on or before December 31, 1974, **or** before the effective date of the initial Flood Insurance Rate Map (FIRM) of the community, whichever is later.

Profile - A graph showing the side view of a flood. The profile delineates the elevation of a flood at any particular location along the stream.

"Q" - An abbreviation used by engineers to stand for discharge.

Recreational Vehicle - means a vehicle which is:

- a. built on a single chassis;
- b. 400 square feet or less when measured at the largest horizontal projection, not including slideouts;
- c. designed to be self-propelled or permanently towable by a motor vehicle;
- d. and designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Registered Professional Engineer - An engineer who has been tested and registered by the Maine Department of Professional and Financial Regulation. A graduate of an engineering school does not become a registered professional engineer until he has so many years of experience and passes the Department's test.

Regulatory Floodway –

- a. means the channel of a river or other water course and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot, and
- b. when not designated on the community's Flood Insurance Rate Map or Flood Boundary and Floodway Map, it is considered to be the channel of a river or other water course and the adjacent land areas to a distance of one-half the width of the floodplain, as measured from the normal high water mark to the upland limit of the floodplain.

Regulations require that the floodway be kept open so that the floods can proceed downstream and not be obstructed or diverted onto other properties.

Riverine - means relating to, formed by, or resembling a river (including tributaries), stream, brook, etc. Riverine floodplains have readily identifiable channels that are regulated differently from floodplains caused by ponding, sheet flow or coastal flooding.

Roughness - A factor incorporated into Flood Insurance Studies (FIS) to account for surface conditions that affect flood flow. A floodplain with a lot of trees, bushes and buildings will have a high roughness factor, while farmlands and open space will have a low roughness factor.

Section 1316 - A section in the National Flood Insurance Act of 1968 which authorizes local officials to request that the Federal Insurance Administration (FIA) deny flood insurance coverage on a building built in violation of a local ordinance. See discussion on page 6-16.

Special Flood Hazard Area (SFHA) - means the land in the floodplain having a one percent or greater chance of flooding in any given year, as specifically identified in the Flood Insurance Study cited in Article I of the Model Floodplain Management Ordinance.

Start of Construction - means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, substantial improvement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, or modification of any construction element, whether or not that alteration affects the external dimensions of the building.

Structure - means, for floodplain management purposes, a walled and roofed building. A gas or liquid storage tank that is principally above ground is also a structure.

Substantial Damage - means, damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damage condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Substantial Improvement - means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the start of construction of the improvement. This term includes structures which have incurred substantial damage, regardless of the actual repair work performed. The term does not, however, include either:

- a. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or
- b. Any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure, and a variance is obtained from the Board of Appeals.

Topographic Map - A map showing the elevation contour lines.

Uplift - Hydrostatic pressure placed on a floor as water below the floor tries to seek its own level.

Use Permit - A permit issued after a development project is complete and the property has passed all the necessary inspections. Depending on the local ordinance provisions, a building cannot be occupied nor can a site be used unless a use permit or a certificate of use and occupancy is issued by the building official.

Variance - means a grant of relief by a community from the terms of a floodplain management regulation.

Violation - means the failure of a structure or development to comply with a community's floodplain management regulations.

Zone A - A Special Flood Hazard Area (SFHA) shown on the National Flood Insurance Program's (NFIP's) Flood Insurance Rate Maps (FIRMs). There are five types of A Zones:

A: SFHA where no base flood elevation data is provided.

AE: SFHA where base flood elevations are provided.

A*: Numbered A Zone (e.g., A7 or A14), riverine SFHA where a Flood Insurance Study (FIS) provided base flood elevations.

AH: SFHA with sheet flow or shallow flooding, base flood elevations are provided.

AO: SFHA with sheet flow or shallow flooding, base flood depths (feet above grade) are provided.

Zone B - On Flood Insurance Rate Maps (FIRMs), the area depicted as between the limits of the 100-year and 500-year floods. B Zones are also used to designate 100-year floodplains of little hazard, such as those with average depths of less than one foot.

Zone C - An area shown on the National Flood Insurance Program's (NFIP's) Flood Insurance Rate Maps (FIRMs) as being above the 500-year flood levels.

Zone V - A Special Flood Hazard Area (SFHA) in coastal communities shown on the National Flood Insurance Program's (NFIP's) Flood Insurance Rate Maps (FIRMs). Zone V (for velocity) is characterized as having coastal wave action of three feet or greater in height.

Zone X - An area shown on the National Flood Insurance Program's (NFIP's) Flood Insurance Rate Maps (FIRMs) as being above the 500-year flood levels.

Zone X (shaded) - On Flood Insurance Rate Maps (FIRMs), the area depicted as between the limits of the 100-year and 500-year floods. X Zones are also used to designate 100-year floodplains of little hazard, such as those with average depths of less than one foot.